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| | | |
|---|------------------------|-------------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL | Attorney Docket No. | 600-33-DIV |
| | First Inventor | BEARD, et al. |
| | Title | Amines Substituted with |
| | Express Mail Label No. | EV181110721US |

(Only for new nonprovisional applications under 37 CFR 1.53(b))

17399 U.S. PTO
 10/612667
 07/02/03

| | |
|---|---|
| <p style="text-align: center;">APPLICATION ELEMENTS</p> <p>See MPEP chapter 600 concerning utility patent application contents</p> <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 123] (preferred arrangement set forth below)</p> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure <p>4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets] [Total Pages]</p> <p>5. Oath or Declaration</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p style="text-align: center;">ADDRESS TO:</p> <p>Mail Stop Patent Application Commissioner for Patents PO Box 1450, Arlington, VA 22313-1450</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies.</p> <p style="text-align: center;">ACCOMPANYING APPLICATION PARTS</p> <p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other _____</p> |
|---|---|

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFT 1.76:

Continuation Divisional Continuation-in-part (CIP) of application No. 09/533,680

Prior application information: Examiner: MCKENZIE, Thomas C Group Art Unit: 1624

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label  or Correspondence address below

| | | | | | |
|---------|---|-----------|----------------|----------|----------------|
| Name | Gabor L. Szekeres 36185 | | | | |
| Address | 8141 East Kaiser Boulevard PATENT TRADEMARK OFFICE Suite 112 | | | | |
| City | Anaheim Hills | State | California | Zip Code | 92808 |
| Country | United States | Telephone | (714) 833-3295 | Fax | (714) 833-3296 |

| | | | |
|-------------------|--------------------------|-----------------------------------|---------------------|
| Name (Print/Type) | Gabor L. Szekeres | Registration No. (Attorney/Agent) | 28,675 |
| Signature | <i>Gabor L. Szekeres</i> | Date | <i>July 2, 2003</i> |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

15541 U.S. PTO
07/02/03

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision

Complete if Known

| | |
|----------------------|------------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | Richard L. BEARD |
| Examiner Name | Mukund Shah |
| Group Art Unit | 1624 |
| Attorney Docket No. | 600-33-DIV |

TOTAL AMOUNT OF PAYMENT (\$) 750.00

METHOD OF PAYMENT

1 Check Credit card Money Order Other None

Deposit Account Number: 01-0885
Deposit Account Name: ALLERGAN, INC

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayment

Charge Any Additional Fee Required

Applicant claims small entity status. See 37 CFR 1.27

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--|----------|--------------|----------|---|--------------------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge-late-filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge-late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petition to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times # of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 750 | 201 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | SUBTOTAL (3) (\$) |

FEE CALCULATION

1 BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|---------------------|-----------------|----------------|-----------------|------------------------|---------------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | 750.00 |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | 750.00 |

2 EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|---------------------------|--------------|----------------|----------|
| 20** = | X | | |
| Independent Claims | -3** = | X | |
| Multiple Dependent Claims | | | |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|--------------------------|-----------------|----------------|-----------------|--|------------|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | Independent Claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple dependent claims, if not paid | |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) (\$) | | | | | () |

** or number previously paid, if greater.
For Reissues, see above

SUBMITTED BY: **Robert J. Baran** Registration No. (Attorney/Agent): 25,806 Telephone: 714-246-4669

Signature: *RJ Baran* Date: 6/27/03

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 1-31/2002. OMB 0651-0031
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|-----------|-------------------------------|-----------------------|
| <h1>TRANSMITTAL FORM</h1> <p>(TO BE USED FOR ALL CORRESPONDENCE AFTER INITIAL FILING)</p> | | Application Number | 09/533,680 |
| | | Filing Date | March 23, 2000 |
| | | First Named Inventor | BEARD, et al. |
| | | Group Art Unit | 1624 |
| | | Examiner Name | Mukund Shah |
| | | Attorney Docket Number | 600-33-PA |
| Total Number of Pages in This Submission | 14 | | |

| ENCLOSURES (check all that apply) | | |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication To Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communicatio to Board Of Appeals and interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Covert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below: |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks DECLARATION OF S. VULIGONDA | |
| <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--------------------------|
| Firm or Individual Name | Gabor L. Szekeres |
| Signature | <i>Gabor L. Szekeres</i> |
| Date | January 29, 2003 |

| CERTIFICATE OF MAILING | | | |
|--|----------------------|------|-------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>January 29, 2003</u> | | | |
| Typed or printed name | Linda Simpson | | |
| Signature | <i>Linda Simpson</i> | Date | <i>January 29, 2003</i> |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES FOR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Applicant: BEARD, et al.

Docket No.: 600-33-PA

Serial No.: 09/533,680

Filed: March 23, 2000

Title: Amines Substituted with Dihydronaphthalenyl, Chrome-Nyl or Thiochromenyl Group Having Retinoid-Like Biological Activity

Mailed to USPTO on 1/29/2003

- Response to the Office Action dated: December 6, 2002
- Amendment
- Certificate of First Class Mailing
- Confirmation Post Card

DECLARATION OF S. VULIGONDA



Kindly acknowledge receipt of above by stamping and returning this postcard.

ATTORNEY DOCKET NO. 600-33-DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|----------------------------------|
| In re Application of |) | |
| Richard L. BEARD, et al. |) | Prior Examiner: Mukund Shah |
| |) | Prior Art Unit: 1624 |
| Serial No.: Unknown |) | |
| |) | Anaheim Hills, California |
| Filed Herewith – July 2, 2003 |) | |
| |) | Attorney Docket No.: 600-33-DIV, |
| For: Amines Substituted with |) | |
| Dihydronaphthalenyl, chromenyl or Tiochromenyl |) | |
| Group Having Retinoid-Like Biological Activity |) | |

EV181110721US

FILING UNDER 37 CFR 1.53(b) and 1.78(a)
BOX NEW APPLICATION
Commissioner for Patents
Washington D.C. 20231

Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on July 2, 2003 with the United States Postal Service via Express Mail, "Post Office to Addressee", Label No. EV181110721US, mailed to: Mail Stop Divisional Patent Application, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

Linda Simpson
Linda Simpson
Date July 2, 2003

Dear Sir:

This is a request for filing a Divisional application under 37 CFR 1.53(b) and 1.78(a), of pending application Serial No. 09/533,680 filed on March 23, 2000.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this 37 CFR 1.53(b) and 1.78(a) request and the documents referred to as attached herein are being deposited with the United States Postal Service on this date of July 2, 2003 in an envelope as: "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label No. EV181110721US addressed to: Mail Stop Divisional Application, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

July 2, 2003 Date
Linda Simpson (Person mailing paper)
Linda Simpson (Signature of Person)

1. Statement that the Attached is a True Copy of the Prior Application as Filed:

The undersigned hereby verifies that the attached papers are a true copy of what is shown in my records to be the above-identified prior "Parent" application, U.S. Serial No.09/533,680, filed March 23, 2000.

The attached copy of the prior "parent" application as filed includes the following:

- 114 pages of Specification;
- 8 pages of Claims;
- 1 pages of Abstract;
- 0 pages of Drawings;
- 4 pages of Declaration and Power of Attorney as filed (executed)

2. Amendment

In accordance with the Preliminary Amendment submitted herewith, please cancel original Claims 11-13 and 16-27 before calculating the filing fee.

3. Fee Calculation

CLAIMS AS FILED

| Number Filed | Number Extra | Rate | Basic Fee | \$ 750.00 |
|-------------------------------|--------------|--------|-----------|-----------------|
| <hr/> | | | | |
| Total Claims: 18 - 20 | 0 | x \$18 | | \$0 |
| <hr/> | | | | |
| Independent Claims: 3 - 3 | 0 | x \$84 | | \$0 |
| <hr/> | | | | |
| Multiple Dependent Claims | | x \$ | | \$ |
| Filing Fee Calculation | | | | \$750.00 |

4. Fee Payment

Please charge Deposit Account No. 01-0885 for all filing fees indicated above, as well as for any discrepancies that may occur.

5. Power of Attorney, Appointment of Associate Attorney, Under Rule 1.34(b)

The power of Attorney in the prior application is to Martin A. Voet, Registration No. 25,208; Robert J. Baran, Registration No. 25,806; Carlos Fisher, Registration No. 36,510; Stephen Donoval, Registration No. 33,433; Brent Johnson, Registration No. 51,851; and Gabor L. Szekeres, Registration No. 28,675.

Please address all future communications to:

Gabor L. Szekeres
8141 E. Kaiser Boulevard
Suite 112
Anaheim Hills, California 92808
Telephone (714) 998-3295
Facsimile: (714) 998-3296

Respectfully submitted,

Dated: July 2, 2003

By: Gabor L. Szekeres
Gabor L. Szekeres, Reg. No. 28,67

Dated: 6/27/03

By: RJ Baran
Robert J. Baran, Esq.
Registration No. 25,806
Assistant General Counsel for
ALLERGAN - Authorized
Signature for Deposit Account
No. 01-0885

Law Offices of Gabor L. Szekeres
8141 E. Kaiser Blvd., Ste. 112
Anaheim Hills, CA 92808
Telephone: (714) 998-3295
Facsimile: (714) 998-3296

1. Statement that the Attached is a True Copy of the Prior Application as Filed:
2. Amendments
3. Fee Calculation
4. Fee Payment